

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

THEODORE M. MIGLIARESE, )  
Plaintiff, )  
v. ) 1:05CV1094  
UNITED STATES OF AMERICA, )  
Defendant. )

## JUDGMENT

**Eliason, Magistrate Judge**

For the reasons set out in a Memorandum Opinion and Order entered contemporaneously with this Judgment,

**IT IS ORDERED AND ADJUDGED** that Defendant's motion for summary judgment (docket no. 27) is granted, that Plaintiff's motion for summary judgment (docket no. 31) is denied, and that this action be, and the same hereby is, dismissed.

Russell A. Eliason  
United States Magistrate Judge

February 19, 2008